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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,296	08/09/2001	Yasuo Takahashi	OOCL-65 (US-P1496)	2674

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EXAMINER

TRAN, LY T

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,296

Applicant(s)

TAKAHASHI, YASUO

Examiner

Ly T TRAN

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-9, 11, 13-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Adachi (JP166979)

With respect to claims 1 and 11, Adachi discloses a printer comprising:

- A printing section for performing printing on paper (Page 3: line 30)
- A paper feed section for transferring paper, which is fed from a paper feed cassette, to said printing section (Page 4: line 3-5)
- A battery power source, a remaining-battery-capacity detector for detecting a remaining-battery-capacity level of said battery power source (Page 4: line 8-10))
- A print-operation-commencement specifying section for specifying print-operation commencement; and control section for performing print-operation control (Page 4: line 15-35)),

- Control section performs the print-operation control such that the remaining-battery-capacity detector is used to detect the remaining battery capacity level immediately before a paper-feed operation is commenced for the first sheet of the paper for a print operation which is commenced corresponding to a print-operation commencement specification received from the print-operation commencement specifying section; and the control section performs the print-operation control such that when printing is consecutively performed on a plurality of sheets of the paper corresponding to print-operation commencement specification, the remaining-battery-capacity detector is used to detect the remaining battery capacity level immediately before the paper-feed operation is performed for the print operation for each of the plurality of sheets of the paper. (4: line 8-35, Fig.2).

With respect to claims 3- 4 and 13-14, Adachi discloses a determination section for determining whether a paper-transfer operation and the print operation to be performed subsequent to the detecting operation for the remaining battery capacity level can be completed for at least one sheet of the paper according to the remaining battery capacity level detected by said remaining-battery-capacity detector and determination section determines the remaining battery capacity level detected by said remaining-battery-capacity detector to be insufficient to complete the paper-transfer operation and the print operation, which are performed subsequent to the detecting operation for the

remaining battery capacity level, for at least one sheet of the paper, control is performed not to commence the paper-transfer operation (Fig.2)

With respect to claims 6-8 and 16-18, Adachi discloses plurality of sheets of the paper corresponding to a specification received from said print-operation commencement specifying section, the determination section determines whether the transfer operations and the print operations can be completed all for the specified plurality of sheets of the paper according to the remaining battery capacity level detected by the remaining-battery-capacity detector, determination section determines the remaining battery capacity level detected by the remaining-battery-capacity detector to be sufficient only to complete the paper-transfer operations and the print operations for partial number of sheets of the paper in the paper-transfer operations and the print operations for the specified plurality of sheets of the paper, the display unit displays information indicating that printing can be performed only for the partial number of sheets of the paper and display unit displays a number of printable sheets of the paper for the information indicating that printing can be performed only for the partial number of sheets of the paper (Fig.2)

With respect to claims 9 and 19, Adachi discloses the remaining-battery-capacity detector detects the remaining battery capacity level also when the printer is powered on (from figure 2 shows detecting the battery before feeding a paper therefore it also detect when the power is on).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi (JP 166979) in view of Arakawa et al. (USPN 6,067,101).

Horigome et al. fails to teach a battery power source that is connected to a main unit of the printer to be removable.

Arakawa et al. teaches a battery power source that is connected to a main unit of the printer to be removable (Column 18: line 31-38).

It would have been obvious to one having ordinary skill in the art at the time the invention was made with a battery power source that is connected to a main unit of the printer to be removable as taught by Arakawa et al. The motivation of doing so is in order to replace the battery when necessary.

4. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi (JP 166979) in view of Horigome et al. (USPN 5,182,583).

Adachi discloses determination section determines the remaining battery capacity level detected by said remaining-battery-capacity detector to be insufficient to complete the paper-transfer operation and the print operation, which are performed

subsequent to the detecting operation for the remaining battery capacity level, for at least one sheet of the paper (Fig.2).

However, Adachi fails to teach a display unit displays information indicating that the remaining battery capacity is short.

Horigome et al. teaches a display unit displays information indicating that the remaining battery capacity is short (Column 12: line 13-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a display unit displays information indicating that the remaining battery capacity is short as taught by Horigome. The motivation of doing so is to let the user know when the battery is low.

5. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi (JP 166979) in view of Shimoda (USPN 6,247,777).

Adachi teaches detection operation for the remaining battery capacity level, can be completed for at least one sheet of the paper.

However, Adachi fails to teach detect the temperature in a peripheral environment of the battery power source, wherein a determination criterion used in the determination section is changed according to the detection result of the temperature detector, the determination criterion being used to determine whether the paper-transfer operation and the print operation.

Shimoda teaches detect the temperature in a peripheral environment of the battery power source, wherein a determination criterion used in the determination

section is changed according to the detection result of the temperature detector, the determination criterion being used to determine whether the paper-transfer operation and the print operation (Column 4: line 34-43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made with detect the temperature as taught by Shimoda. The motivation of doing so is in order to keep the user from dangerous temperature (Shimoda USPN 6,247,777, Column 3: line 10-14).

Response to Arguments

6. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T TRAN whose telephone number is 703-308-0752. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 703-308-4896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0967.

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12/22/03


Stephen D. Meier
Primary Examiner